## AMENDMENTS

### Amendments to the Drawings:

The attached sheet of drawings includes a change to sheet 2 of the drawings (Fig. 2). This new sheet 2 replaces the original sheet 2.

Attachment: Replacement Sheet

## REMARKS/ARGUMENTS

### *Amendments to the Drawings*

1.      The drawings were objected to under 37 CFR 1.83(a) because they fail to label the drawing as Figure 2.  Applicant has submitted corrected drawing sheets.  Such changes add no new matter.

### *Standards for Patentability*

2.      "An applicant for a patent is entitled to the patent unless the application fails to meet the requirements established by law. It is the Commissioner's duty (acting through the examining officials) to determine that all requirements of the Patent Act are met. The burden is on the Commissioner to establish that the applicant is not entitled under the law to a patent .... In rejecting an application, factual determinations by the PTO must be based on a preponderance of the evidence, and legal conclusions must be correct." *In re Oetiker,* 977 F.2d 1443, 1449, 24 USPQ2d 1443, 1447,24 USPQ2d at 1447 (Fed. Cir. 1992) (Judge Plager concurring).

3.      "The precise language of 35 USC 102 that 'a person shall be entitled to a patent unless,' concerning novelty and unobviousness, clearly places a burden of proof on the Patent Office which requires it to produce the factual basis for its rejection of an application under sections 102 and 103." *In re Warner,* 379 F.2d 1011, 1016, 154 USPQ 173 (CCPA 1967), cert. denied, 389 U.S. 1057, reh'g denied, 390 U.S. 1000 (1968).

### *Claim Rejections - 35 U.S.C. § 103*

4.      The Examiner rejected claims 1-18 under §103(a) as being unpatentable (obvious) over Vulpe (2004/0205540) in view of Cornelia (6065026).

5.      The Examiner rejected claims 19-22 under §103(a) as being unpatentable (obvious) over Cornelia (6065026) in view of Vulpe (2004/0205540).

6.　　"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves of in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on the applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)." MPEP § 706.02(j).

7.　　**Neither Vulpe or Cornelia "teach or suggest all the claim limitations" of Independent Claim 1.**

　　　a.　　The Examiner argues that "[r]egarding Independent claim 1, Vulpe discloses a system for managing reference numerals."

　　　　　1)　　Applicants disagree. The cited text of Vulpe reveals a system for allowing both the architecture data and the content data of related documents to be updated.

　　　　　2)　　The cited text of Vulpe does not address the managing of reference numerals and element names, let alone managing reference numerals and element names that are linked together.

　　　b.　　The Examiner argues that Vulpe discloses "[a]n element database for receiving and storing a plurality of element names (paragraph 15, wherein Vulpe teaches two different databases that represent document components. The intersection rule database and the intersection instance database, just as the element and reference databases."

　　　　　1)　　Applicants disagree. The cited text of Vulpe does not show an element database. The intersection rule database and the intersection instance database include <u>records</u> that define document intersection spaces. Further, they represent architecture

data (style and patterns) and content data, not two forms of content data (element <u>names</u> and reference <u>numbers</u>).

2) No where does such Vulpe text show an element name database and reference numeral database.

    i) No where does such Vulpe text show an element name database that has entries that correspond to specific entries in a reference numeral database.

3) The Examiner's cited text regarding Vulpe fails to show all of the claim limitations.

c. The Examiner argues that Vulpe discloses that "[t]he intersection rule [database] defines an intersection rule record. Each record corresponds to a document intersection space. The document intersection space links the context between the document and the rule database."

1) Applicants disagree. First, in the cited text in Vulpe, each record corresponds to a document intersection space comprising at least two managed documents.

2) Second, each document intersection space in the cited text links the "document architecture data of one of the documents of the respective intersection space and [the document architecture data of] at least one other document of the same document intersection space."

3) Thus, in these paragraphs, Vulpe links architecture together between document intersection spaces in separate documents and Vulpe links data together between document intersection spaces in separate documents. However, Vulpe does not link architecture to data. Thus, the connection the Examiner refers to doesn't exist.

4) Thus, Vulpe fails to show all of the claim limitations.

d.  The Examiner argues that "[t]he element and reference databases
    represent specific content from the document that is stored in different
    locations or databases."

    1)  Applicants disagree.  In the cited text of Vulpe, the intersection rule
        database and the intersection instance database represent
        architecture and content which are both stored in the document
        intersection database.  Further, the intersection rule database isn't
        "content" as the Examiner implies (numbers or text) it is the
        architecture (style, structure) of the document.

    2)  Vulpe doesn't show all of the claim limitations.

e.  The Examiner further argues that Vulpe cited text describes two different
    databases but they represent various content from the same document.

    1)  Applicants disagree.  "Content" is a misnomer (back to the Vulpe
        content data vs. architecture data discussion above).  They may be
        separate databases, but they are included within the same
        document intersection database.

f.  The Examiner then argues that the Vulpe cited text shows "[a] reference
    database for receiving and storing a plurality reference numerals, wherein
    selective reference numerals in the reference database correspond to
    selective element names in the element database (paragraph 15, wherein
    the reference and element databases relate a particular reference numeral
    to an element name."

    1)  Applicants disagree   Again, the cited text's two databases are data
        and architecture (style, etc).  To argue that the architecture database
        contains names or numbers linked to a reference database
        containing numbers or names is reading elements into Vulpe that
        just do not exist.

2)      Likewise, the argument that selective reference numerals in first Vulpe database correspond to selective element names in the second Vulpe database. Vulpe does not show that.

3)      Vulpe fails to show all of the claim limitations.

g.      The Examiner argues that "Vulpe shows that the intersection rule database and the intersection instance database correspond to each other since they both associate using the document intersection space(s). Therefore the [intersection] rule database corresponds to selective document intersection spaces in the [intersection] instance database. The term correspond is vague, correspond could mean the linking or two different databases corresponding content by referencing the same document.

1)      Applicants disagree. The cited text does not show that claim limitation.

h.      The cited text of Cornelia doesn't add these missing elements.

i.      As such, the prior art citations neither "teach or suggest all the claim limitations of Independent Claim 1" and therefore cannot render Claim 1, or any of the claims that depend there-from obvious.

8.      **Neither Cornelia or Vulpe "teach or suggest all the claim limitations" of Independent Claim 19.**

a.      Claim 19 includes "element names from an element database" and "reference numerals from a reference database."

1.      The cited text of Cornelia (herein "Cornelia") has a "library of textual components" which represent data that is used in a document assembly program.

2.      The cited text makes no mention of a reference (numeral) database and no mention of reference numerals.

3.      The cited text thus doesn't show all of the elements.

b.      The Examiner argues that Cornelia is a method of managing reference numerals.  Applicant disagrees.

1.      Applicant reads (note:  this is Applicant's interpretation) the cited text of Cornelia to generally disclose a document assembly program whereby (in one example) various "textual components" (aka "legal clauses," such as warranty clauses, arbitration clauses, etc.) are represented visually to the user but as "marks" (perhaps such as WARRANTY_CLAUSE, ARBITRATION_CLAUSE, etc.) to the software.  The software then configured to, as a user changes text in one textual component (clause), cause text in related textual components (clauses) in secondary documents to be updated (via comparing marks).  Thus as a user modifies the "warranty clause" by hand, the software would note that the WARRANTY_CLAUSE "mark" had been updated and then proceed to update WARRANTY_CLAUSE "marks" in related documents.  No where does this include managing reference numerals.

2.      The section of the specification referred to by the Examiner (the summary) of Cornelia does not disclose textual element related to a numerical references in the library.  Moreover, even if the textual element were correlated to some number, it appears that number would only be used to categorize the text in the database and to as a numerical element that is into documents themselves for visual representation to the user.  The Cornelia reference at best discloses only a text file.

3.      In the present invention, both text and numbers are inputted into a document where the text and numbers are related to one another.  Changing one of the numbers causes the numbers throughout the

document to change. Changing the text associated with the number causes all of the instances of that text (associated with the number) to change. The section of the cited specification referred to by the Examiner does not disclose that.

    4.    Thus the cited text of Cornelia does not show that claim limitation.

c.    The Examiner argues that Cornelia discloses "inserting fields into a drawing file (column 1, lines 40-67 & column 2, lines 1-39, wherein fields are inserted into a document file)".

    1.    The cited text of Cornelia does not disclose inserting fields into a drawing file, let alone updating fields in drawings with changes from the elements/numbers. In fact, Cornelia only mentions "drawing" or "drawings" in one place, namely in the "brief description of the drawings."

    2.    The cited text of Cornelia does not show that claim limitation as the Examiner indicates it does.

d.    The Examiner notes that "[e]ach component of a document is represented has a mark in the database, therefore changes to individual components are maintained by the database."

    1.    Reviewing the portion of the specification cited by the Examiner, the cited text from Cornelia shows "one-way" editing, in that changes to textual components in document x are copied to document y and not back into the main database. Cornelia is a document assembly program for assembling complex collections of related documents that need to have the same spelling for "Licensee" for instance (again, this is Applicant's interpretation).

    2.    In the present invention, changes to the textual elements change the main element database and changes to the numerical elements change the main reference (numeral) database.

3.   Again, the cited text of Cornelia lacks this element, and it is not supplied by the cited text of Vulpe.

e.   As such, Claims 19-20 are not anticipated, let alone obvious.

9.   **Neither Cornelia or Vulpe "teach or suggest all the claim limitations" of Independent Claim 21.**

a.   As discussed above, the cited text of Cornelia makes no mention of a reference (numeral) database and no mention of reference numerals.

1)   Thus, the cited text of Cornelia doesn't show "identifying a **reference numeral** within a text document."

2)   Nor does the cited text of Cornelia disclose any of the other "reference numeral" steps of claim 21.

b.   Further, there is no mention in Cornelia in the cited text of any form of error correction.

1)   The Examiner's argument that Cornelia could be used to check errors is akin to arguing that Microsoft Word®'s built in "search and replace" function is a system for identifying errors.

c.   Also, the errors referred to in claim 21 are errors constituting inconsistencies between the reference numeral/element name in the **database** and the subsequent occurrence of the reference numeral/element name in the **text document.**

1)   Because there are not numerical references in the cited text of the Cornelia reference, such correlation does not exist and thus it would be impossible to "correct" it.

d.    The cited text of Cornelia clearly does not disclose such an element. The cited text of Vulpe doesn't disclose it either. As such, Cornelia + Vulpe do not render claim 21 or claim 22 which depends there-from obvious.

10.    **No need to analyze suggestion/motivation and/or reasonable expectation of success**

Because Vulpe + Cornelia (and/or Cornelia + Vulpe) do not "teach or suggest all the claim limitations" of Independent Claims 1, 19 or 21 (or any of the claims that depend there-from), there is no need to separately address suggestion/motivation and/or reasonable expectation of success. Applicants reserve the right to raise such arguments in the future.
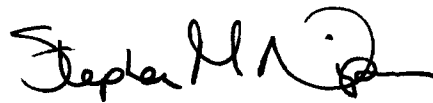
## *CONCLUSION*

It is Applicants' position that the present invention is not anticipated, nor is it obvious based upon the cited text of the cited references. For this reason, Applicants request that the rejections be withdrawn.

If the Examiner feels it would advance the application to allowance or final rejection, the Examiner is invited to telephone the undersigned at the number given below.

Reconsideration and allowance of the application as amended is respectfully requested.

DATED this __26ᵗʰ__ day of June 2006.

Very respectfully,

STEPHEN M. NIPPER
Reg. No. 46,260
(208) 345-1122